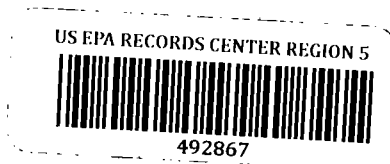




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Public Safety & Environment Department
500 Water Street, J-275
Jacksonville, FL 32202

File: Michigan, Dearborn, N-Forcer, R008210

C-6
4/12/05

April 12, 2005

Mr. Brian Kelly
USEPA Region 5 Emergency Response
9311 Groh Road, Room 216
Grosse Ile, MI 48138-1697

Former W.R. Grace Asbestos Investigation, N-Forcer Site, Dearborn, Michigan

Mr. Kelly:

Thank you for the notification of the U.S. Environmental Protection Agency's (US EPA) remedial action planned for the former W. R. Grace facility in Dearborn, Michigan. CSX Transportation, Inc. (CSXT) agrees with your assessment, that the former W. R. Grace is the source of this material. The remediation of the impacts caused by W. R. Grace on the CSXT Right-of-Way (ROW) or any adjacent properties is not CSXT's liability or responsibility for the following credible reasons:

1. As stated in your March 31, 2005 email, and your April 7, 2005 letter, the CSXT property was impacted by the former W. R. Grace operations.
2. The *Former W.R. Grace Asbestos Investigation, N-Forcer Site; CSXT No. R008210, CSX Transportation, Inc, Dearborn Michigan* report dated February 18, 2005, summarized a limited surface investigation of 15 samples collected at the CSXT ROW. The laboratory data indicated one sample of the 15 samples was identified as containing a currently unregulated amphibole mineral. The sample, which contained the unregulated amphibole mineral, was composed of separate and distinct fragments. The laboratory analyses determined that one of the white fragments had a green fibrous mineral appearance on one side and the black fragment and the two remaining white fragments are non-asbestos containing and appear to be gravel or rock fragments. No asbestos structures (i.e. fibers, bundles) were detected in any of the 15 soil samples collected at the site on November 12 and 23, 2004.
3. Fibrous asbestiform minerals are not a regulated substance.

Based on the public meeting on April 4, 2005, the US EPA is requesting access from the individual private property owners for a visual inspection, sampling and, if necessary, remediation. As an impacted property owner, CSXT appreciates the US EPA efforts to remediate impacts caused by another party and will grant the US EPA access to the CSXT ROW to investigate the CSXT ROW. Please note that CSXT is committed to safety in and around our operations and therefore requests the U.S. EPA adhere to Federal Railroad Administration and CSXT's safety requirements. Please contact me to arrange for access to our ROW and for information for proper safety training requirements for your abatement workers.

Without accepting any responsibility or liability for the impacts, CSXT is willing to aid the US EPA in their efforts to remediate the impacts to the community. CSXT will agree to undertake the remedial efforts on the CSXT ROW. However, CSXT is not willing to accept liability for the generation or disposal of any material from the CSXT property that was caused by activities at the W. R. Grace property. Therefore, CSXT will assist the US EPA with their remedial efforts, by performing the agreed upon cleanup on our own property, but requests that the generation, transportation and disposal of the materials collected from the CSXT property will be responsibility of the US EPA.

Please contact us to discuss the remediation schedule and remediation methods.

Very truly yours,



Paul J. Kurzanski
Manager Environmental Remediation

cc:

Mr. Jeff Styron, Counsel – CSXT
Ms. Terri Rubis, ARCADIS